



Department of Defense

DIRECTIVE

NUMBER 5220.22

September 27, 2004

Certified Current as of December 1, 2006

USD(I)

SUBJECT: National Industrial Security Program

References: (a) DoD Directive 5220.22, "DoD Industrial Security Program," December 8, 1980 (hereby canceled)
(b) Executive Order 10865, "Safeguarding Classified Information within Industry," February 20, 1960, as amended by Executive Order 10909, January 17, 1961 and Executive Order 12829, January 6, 1993
(c) Executive Order 12829, "National Industrial Security Program," January 6, 1993
(d) DoD 5220.22-R, "Industrial Security Regulation," December 4, 1985
(e) through (g), see enclosure 1

1. REISSUANCE AND PURPOSE

1.1. This Directive reissues reference (a) to implement references (b) and (c) within the Department of Defense and assigns overall responsibility for policy and administration of the National Industrial Security Program (NISP) to ensure that classified information released to industry is properly safeguarded.

1.2. This Directive authorizes the following publications to be issued in accordance with reference (c):

1.2.1. Reference (d). This document identifies detailed policies and procedures for all the DoD Components and those Federal Agencies with whom the Department of Defense has entered into agreements to provide industrial security services in administering their responsibilities under the NISP.

1.2.2. DoD 5220.22-M, "National Industrial Security Program Operating Manual" (NISPOM) (reference (e)) and Supplements Thereto. This document prescribes the specific requirements, restrictions, and other safeguards considered necessary in the interest of national security for industry to protect classified information. Compliance with the NISPOM is

incorporated into each contract that requires access to classified information by use of the “Security Requirements” clause required by Subpart 4.4 of the Federal Acquisition Regulation (reference (f)) and a DoD Security Agreement.

1.2.3. The Industrial Security Letter. This official document is issued by the Director, Defense Security Service, with the approval of the Under Secretary of Defense For Intelligence (USD(I)), to provide guidance to contractors in administering their responsibilities under the NISP and to provide other security-related implementation guidelines.

2. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the “DoD Components”).

3. POLICY

It is DoD policy that:

3.1. The Secretary of Defense, designated as the Executive Agent for the NISP by reference (c), may prescribe such specific requirements, restrictions, and other safeguards as considered necessary to protect classified information that may be released, or has been released, to current, prospective, or former contractors, licensees, or grantees of U.S. Agencies.

3.2. The Secretary of Defense is authorized by reference (c) to enter into agreements with any other Executive Branch Department or Agency to make industrial security services required for safeguarding classified information released to industry by these Departments or Agencies. Such Departments and Agencies, and all the DoD Components, are referred to as Government Contracting Activities (GCAs).

3.3. The Department of Defense shall set forth policies, practices, and procedures to be followed by GCAs for the effective protection of classified information provided to industry, including foreign classified information the U.S. Government is obligated to protect in the interest of national security.

3.4. DoD Directive 5220.6 (reference (g)) establishes the standards and criteria for determining security eligibility for contractor personnel requiring access to classified information.

4. RESPONSIBILITIES

4.1. The Under Secretary of Defense (Intelligence) shall:

4.1.1. Oversee policy and management of the NISP.

4.1.2. Direct, administer, and oversee the MSP to ensure that the program is efficient and consistent.

4.1.3. Approve changes to references (d) and (e).

4.1.4. Coordinate with GCAs on all proposed policy changes.

4.1.5. Ensure that appropriate background investigations and security eligibility determinations are provided for contractor personnel requiring access to classified information.

4.2. The Director, Defense Security Service, under the authority, direction, and control of the USD(I), shall:

4.2.1. Administer the MSP as a separate program element on behalf of the GCAs, and assume security cognizance for GCA contractors.

4.2.2. Develop appropriate changes to maintain references (d) and (e), including supplements thereto, on a current and effective basis. Proposed changes to these documents shall be forwarded to the USD(I).

4.2.3. Prepare, coordinate, and publish the Industrial Security Letter with the approval of the Office of the USD(I).

4.2.4. Budget, fund, and administer the NISP.

4.2.5. Provide appropriate security education, training, and awareness to industrial and GCA personnel.

4.2.6. Decide eligibility for access to classified information by contractor personnel, in accordance with reference (g).

4.2.7. Maintain a record of eligibility determinations and make the record accessible to all GCAs, as appropriate.

4.2.8. Establish and maintain a system for timely and effective communication with the NISP contractors and GCAs.


4.3. The Heads of the DoD Components shall review all contracts before contract award to decide if releasing classified information is necessary for contract performance. If it is found that access to classified information is required for contract performance, the Heads of the DoD Components shall:

4.3.1. Include the "Security Clause" required by reference (f) in the contract.

4.3.2. Provide security classification guidance to contractors.

5. EFFECTIVE DATE

This Directive is effective immediately.



Paul Wolfowitz
Deputy Secretary of Defense

Enclosures - 1

El. References, continued

El. ENCLOSURE 1

REFERENCES, continued

- (e) DoD 5220.22-M, “National Industrial Security Program Operating Manual,” *February 2006*
- (f) Subpart 4.4 of the Federal Acquisition Regulation, “Safeguarding Classified Information within Industry,” current edition
- (g) DoD Directive 5220.6, “Defense Industrial Personnel Security Clearance Review Program,” January 2, 1992